

### **REMARKS**

The Examiner objected to the title as not descriptive. Applicants have amended the title to be: "Inter-Vehicle Communication Apparatus And Method With Restriction On Size Of Network." Applicants submit that the objection to the title has now been obviated.

Claims 1-21 are pending, including independent Claims 1, 20 and 21. Claims 20 and 21 have been allowed. Claims 3-15, 18 and 19 are objected to, but have been found to contain patentable subject matter.

Claims 1, 2, 16 and 17 are rejected under 35 U.S.C. § 102 (b) as anticipated by U.S. Patent 6,204,844 ("Fumarolo"). Applicants respectfully disagree with this rejection. Fumarolo describes a display-based terminal for dynamically grouping communication units in a communication system (e.g., Abstract). Such an arrangement can be used in a dispatch communication system under the control of a terminal user such as a dispatch operator (see, e.g., Background of the Invention).


Regarding the network-forming processing section of the rejected claims, Applicants believe the Examiner's cited support in Fumarolo (Fig. 10; col. 21, line 12 – col. 22, line 60) is not applicable. As that passage in Fumarolo describes, first "the terminal displays a map to the terminal user." Then, "the terminal receives an indication of one or more geographic areas on the map and an identification of at least one target talkgroup." The geographic area can be "selected by using 'click and drag' rectangling techniques" or by otherwise constructing or designating an area on the map. (Col. 21, lines 16-32.) In addition, the terminal receives from the user a set of criteria for including communication units in the target talkgroup and for removing communication units (col. 21, lines 38-51).

In contrast, Applicants' claimed invention does not use a remote terminal or a dispatcher to define a network, and Applicants have amended claim 1 to clarify this distinction. Specifically, claim 1 has been amended to recite that the inter-vehicle communication apparatus is "located in each of a plurality of vehicles," includes an inter-vehicle communication unit "for transmitting and receiving information between vehicles," and includes a network-forming processing section for forming a network with "at least some of said plurality of vehicles." Thus, in Applicants' claimed invention the

network is formed by the on-vehicle apparatus, not by a remote terminal or dispatcher as in Fumarolo.

Applicants submit that the rejected claims, as amended herein, are patentable over the cited art. Accordingly, Applicants respectfully request reconsideration and allowance of this application.

Respectfully submitted,

  
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